IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for the undersigned, the attorneys of record for the parties to the above entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, that plaintiff CARLOS ANTONETTI's action is hereby discontinued with prejudice as against the defendant DAVOL without costs to either party against the other.

IT IS FURTHER STIPULATED AND AGREED, that this Stipulation may be filed without further notice with the Clerk of the Court, and that a facsimile copy of this Stipulation shall be deemed an original for the purposes of the validity of the Stipulation, and the Stipulation may be signed in counterparts.

Dated: New York, New York

May 20, 2014

ESSNER & KOBIN, LLP

Attorneys for Plaintiff

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(212), 750-4949

s/Nicholas G. Garaufis

7/8/14

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